

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. **(Currently Amended)** A method for data digital asset delivery in a computer network comprising a first server computer ~~connected to a first network~~, and a second server computer ~~connected to the first network~~, ~~said first and second servers being interconnected via a second network~~, the method comprising:

~~synchronizing parameters of the first and second server computers;~~

~~receiving an asset request from a user via the first network;~~

~~processing the asset request by the first and second server computers;~~

generating, by the first server computer, at least one first frame of said digital asset;

transmitting, by the first server computer, said at least one first frame of said digital asset;

generating, by the second server computer, an identical frame to said at least one first frame of said digital asset;

indicating by said second server computer that said identical frame is to be discarded;

determining by said second server computer that said first server computer has experienced a failure;

generating, by the second server computer, at least one subsequent frame of said digital asset, wherein said at least one subsequent frame is not accompanied by an indication that said at least one subsequent frame is to be discarded.

~~determining the operational status of the first server computer, wherein~~

~~if a failure is not detected, transmitting the asset by the first server via the first network;~~

~~if a failure is detected, transmitting the asset by the second server via the first network.~~

2. **(Currently Amended)** The method of claim 1, wherein the steps of:  
~~detecting a failure and transmitting the asset by the second server computer via the first network~~

determining by said second server computer that said first server computer has experienced a failure; and  
generating, by the second server computer, at least one subsequent frame of said digital asset, wherein said at least one subsequent frame is not accompanied by an indication that said at least one subsequent frame is to be discarded;  
are performed within one interval.

3. **(Currently Amended)** The method of claim 2, wherein the ~~interval~~ interval is one video frame in duration.
4. **(Currently Amended)** The method of claim 1, ~~wherein the~~ further comprising initiating, by said second server computer, initiates a data synchronization.
5. **(Currently Amended)** The method of ~~claim~~ claim 1, ~~wherein the~~ further comprising initiating, by said first server computer, initiates a data synchronization.
6. **(Currently Amended)** The method of ~~claim~~ claim 1, wherein a synchronization component initiates data synchronization.
7. **(Currently Amended)** The method of claim 1, wherein the step of ~~detecting a failure~~ determining by said second server computer that said first server computer has experienced a failure comprises monitoring a plurality of signals transmitted by the first server computer during one interval.
8. **(Original)** The method of claim 7, wherein the plurality of signals are transmitted at a frequency greater than 1 divided by the interval.
9. **(Original)** The method of claim 7, wherein the interval is one video frame in duration.
10. **(Original)** The method of claim 7, wherein a failure is determined to have occurred when a predefined number of signals are not received.

11. **(Canceled)**

12. **(Currently Amended)** The method of claim 1, ~~wherein the step of further~~  
comprising detecting a failure ~~is performed~~ by a component monitor.

13. **(Currently Amended)** The method of claim 1, ~~wherein the step of further~~  
comprising detecting a failure ~~is performed~~ by the first server computer.

14. **(Currently Amended)** The method of claim 1, ~~wherein the step of further~~  
comprising detecting a failure ~~is performed~~ by a kernel running on the first server computer.

15. **(Original)** The method of claim 14, wherein one or more applications critical to the operation of the first server computer register with the kernel.

16. **(Original)** The method of claim 14, wherein a failure is determined to have occurred when the kernel recognizes one or more critical application failures.

17. **(Original)** The method of claim 1, further comprising defining one or more failover states for a server computer.

18. **(Original)** The method of claim 17, wherein the failover states comprise a Primary state.

19. **(Original)** The method of claim 17, wherein the failover states comprise a Primary offline state.

20. **(Original)** The method of claim 17, wherein the failover states comprise a Primary\_no\_secondary state.

21. **(Original)** The method of claim 17, wherein the failover states comprise a Failed state.

22. (Original) The method of claim 17, wherein the failover states comprise a Secondary state.

23. (Original) The method of claim 17, wherein the failover states comprise a Secondary\_offline state.

24. (Original) The method of claim 17, wherein the failover states comprise a Secondary synchronizing state.

25. (Original) The method of claim 17, wherein the failover states comprise a Secondary\_synchronized state.

26. (Original) The method of claim 17, wherein the failover states comprise a Secondary\_no\_primary state.

27. (Currently Amended) A method for ~~data~~ digital asset delivery in a system comprising a first server ~~operating on a first computer, and~~ a second server ~~operating on the first computer, said first and second servers connected to a first network~~, the method comprising:

synchronizing parameters of the first and second servers;

receiving ~~an a~~ digital asset request from a user ~~via the first network~~;

processing the digital asset request by the first and second server;

~~determining monitoring, by the first server,~~ the operational status of the first server;

wherein;

monitoring, by the second server, the operational status of the first server;

if a failure in said first server is not detected, ~~transmitting the asset by the first server via the first network,~~ indicating, by said second server that at least a portion of the digital asset as generated by said second server is not to be delivered to said user.

~~if a failure is detected, transmitting the asset by the second server via the first network.~~

28. (New) The method of claim 27, further comprising responding, by said second server, to a detected failure in said first server by no longer indicating by said second server computer that at least a portion of the digital asset as generated by said second server computer is not to be delivered to said user.
29. (New) The method of claim 28, wherein said responding is conducted within one interval from a time when said failure is detected.
30. (New) The method of claim 29, wherein said one interval is one video frame in duration.
31. (New) The method of claim 27, wherein the first and second server exist in a single computing device.
32. (New) The method of claim 27, wherein the first and second server exist in a plurality of computing devices.
33. (New) The method of claim 27, wherein said monitoring, by said second server, the operational status of the first server comprises monitoring a plurality of heartbeat signals transmitted by the first server computer.
34. (New) The method of claim 33, wherein a failure is determined to have occurred when a predefined number of heartbeat signals are not received.
35. (New) The method of claim 27, further comprising defining one or more failover states for a server.
36. (New) The method of claim 35, further comprising identifying, by said first server, a failover state corresponding to an operational state of said first server, and communicating said failover state to said second server.